

REMARKS

Remaining Claims

Claims 1, 12, 17-18, 20, and 23 have been amended. Claim 16 has been cancelled. After these amendments, Fifteen (15) claims are pending.

Rejection of Claims 1, 3, 7-10, 12, 15-18, 20, 21 and 23-25 under 35 USC §112

Claims 1, 3, 7-10, 12, 15-18, 20, 21 and 23-25 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The rejections have been overcome by the amendments of claim 1, 12, 20 and 23.

Rejection under 35 USC §103

Claims 20 and 21 were rejected under 35 U.S.C. 103 (a) as being unpatentable over Herbrechtsmeier et al. (the US equivalent of PCT WO 99/20455) in view of Winterton et al (See col. 8, lines 31-54). For the following reasons, the Examiner's rejection is respectfully traversed.

The claim 20 has been amended to contain the recitation of the masking collar being a polymeric material impregnated with a carbon black filler as suggested by Examiner in the Official Action (page 4) dated July 10, 2007. The rejection of these claims (claim 20 and 21) is overcome by this amendment.

Rejections under a provisional obvious-type double patenting

Claims 1,3,7-10, 12,15-18, 20, 21 and 23-25 were provisionally rejected on the ground of nonstatutory obvious-type double patenting as being unpatentable over claims 1,4,6,8-11 and 16 of copending Application No. 10/732,566.

The rejections have been overcome by filing the terminal disclaimer attached herein.

CONCLUSION

In view of the foregoing and in conclusion, Applicants request reconsideration and withdrawal of the rejections set-forth in the Office Action.

Should the Examiner believe that a discussion with Applicants' representative would further the prosecution of this application, the Examiner is respectfully invited to contact the undersigned. The Commissioner is hereby authorized to charge any other fees which may be required under 37 C.F.R. §§1.16 and 1.17, or credit any overpayment, to Deposit Account No. 50-2965.

Respectfully submitted,



Sheng-Hsin Hu
Reg. No. 50,328
(678) 415-3171

Date:

Oct. 29, 2007

Novartis
Corporate Intellectual Property
One Health Plaza, Building 104
East Hanover, NJ 07936-1080